

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Mar 18, 2020

SEAN F. McAVOY, CLERK

Eastern District of Washington

Request for Summons and Modification of the Conditions or Term of Supervision

Name of Offender: Dan Richard Dickey

Case Number: 0980 4:14CR06029-EFS-1

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: July 28, 2015

Type of Supervision: Term of Supervised Release

Original Offense: Receipt of Child Pornography, 18
U.S.C. § 2252A(a)(2)

Date Supervision Commenced: January 11, 2020

Original Sentence: Prison - 60 M; TSR - 240 M

Date Supervision Expires: January 10, 2040

PETITIONING THE COURT

The offender, not having waived a hearing, the probation officer requests that a summons be issued and hearing held to modify the conditions of supervision as follows:

- 28 You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

CAUSE

The probation officer believes that the action requested above is necessary for the following reasons:

On January 11, 2020, Mr. Dickey was released from confinement and began his period of supervised release. As required within Special Conditions 14 and 15 of Mr. Dickey's judgement, he is ordered to complete a sex offender assessment and to follow any needed treatment. Mr. Dickey completed an assessment with Riverview Counseling and Consulting in Richland and was assessed as needing ongoing sex offender treatment. Mr. Dickey was advised one requirement of his treatment would include a restriction from consuming alcohol. Mr. Dickey expressed his disagreement to the no alcohol requirement. He was advised that under Special Condition 15, he would need to comply with the "lifestyle restriction." After being informed of the expectation, Mr. Dickey contacted the sex offender treatment provider which he met with while under pretrial supervision. Mr. Dickey noted the provider would not restrict his alcohol consumption and he started the process to move his treatment from Riverview Counseling and Consulting to his prior provider.

Mr. Dickey's actions are concerning as he is focusing more upon the opportunity to consume alcohol than addressing thinking errors related to his offense. The reasoning behind requesting an alcohol restriction is to remove all mind altering substances, which could lead to a relapse or possible violations of supervised release.

Re: Dickey, Dan Richard

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I declare under penalty of perjury that the foregoing is true and correct.

by

s/David L. McCary

David L. McCary
U.S. Probation Officer
Date: March 18, 2020

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

March 18, 2020

Date